IN THE HIGH COURT OF JUDICATURE OF BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 2816 of 2007

Shri Vithal Rana Bhopi & Anr. .. Petitioners
versus
City & Industrial Development
Corporation and others .. Respondents

...

Mr.Sachin Kadam i/b S.S. Kulkarni for the petitioner.
Mr.G.S. Hegde for respondent no.1.
Mr.A.H. Palekar AGP for respndent no.2.

CORAM : S.B. MHASE AND
D.G.KARNIK, JJ
DATED : 20th July 2007.

P.C.:

. The petitioners lands are reserved for a public purpose in the development plan. It is the grievance of the petitioners that more than 10 years have gone, the lands have not been acquired by the Planning authority. In the circumstances, the petitioners can follow the provisions of section 49 and/or section 127 of the Maharashtra Regional Town Planning Act. In the absence of such remedy being followed, it should be inappropriate to direct the respondent to acquire the lands. Petition is rejected.

(D.G. KARNIK, J) (S.B. MHASE, J)